



DOCKET NO.: R0579.70000US01

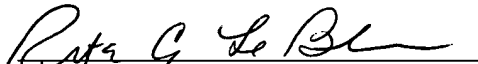
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven W. Ramirez
Serial No.: 10/524,100
Confirmation No.: Not assigned yet
Filed: February 9, 2005
For: APPARATUS FOR DISPLAYING CULINARY,
HORTICULTURAL OR FLORAL ITEMS

Examiner: Not assigned yet
Art Unit: Not assigned yet

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 30 day of March, 2005.


Rita A. LeBlanc

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed within three months of the filing date of a National Application other than a continued prosecution application under 37 C.F.R. §1.53(d). No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The references cited on the attached Form PTO-1449 were cited in an International Search Report for the counterpart International Application No. PCT/US03/25068. A copy of the International Search Report is attached for the Examiner's information.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

Where English language translations of the non-English language references have been provided, the translation is believed to show the relevance of the reference. Where no English language translation is available, but an English language abstract has been provided, the English language abstract is believed to explain the relevance to the extent known by Applicants. Where no English language abstract is available, the drawings are believed to show the relevance. Also, note that non-English references DE 3803589, JP 6-297900, JP 10-5091 and JP 10-64722 were cited by the Examiner in an office action dated October 21, 2003 of the parent application 10/215,994 and JP 9-407A and FR 2614194 were cited by the Examiner in an office action dated April 26, 2004 of the parent application.

The following are remarks concerning the other information cited.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

Serial No.: 10/524,100
Conf. No.: Not assigned yet

- 3 -

Art Unit: Not assigned yet

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

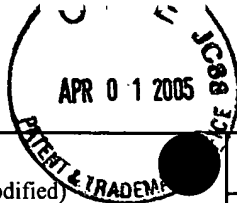
An early and favorable action is hereby requested.

Respectfully submitted,
Steven W. Ramirez, Applicant

By: 

Neil P. Ferraro, Reg. No. 39,188
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

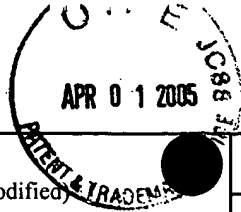
Docket No.: R0579.70000US01
Date: March 30, 2005
xNDDx



FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/524,100		A DOCKET NO.: R0579.70000US01	
				FILING DATE: February 9, 2005		CONFIRMATION NO.: Not assigned yet	
				APPLICANT: Steven W. Ramirez			
				GROUP ART UNIT: Not assigned yet		EXAMINER: Not assigned yet	
Sheet	1	of	3				

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
*	A1	3,676,275		S.D. Sloane	07/11/1972
*	A2	3,829,349		T. Hermanson	08/13/1974
*	A3	3,857,747		Bitecola	12/31/1974
*	A4	3,928,712		Sears	12/23/1975
*	A5	4,173,843		Marble	11/13/1979
*	A6	4,340,625		Willinger	07/20/1982
*	A7	4,600,612		Litwin et al.	07/15/1986
*	A8	4,606,950		Corbet	08/19/1986
*	A9	5,805,075		Damore	02/14/1989
*	A10	4,950,509		DeMott	08/21/1990
*	A11	5,082,699		Landau	01/21/1992
*	A12	5,120,583		Garcia	06/09/1992
*	A13	5,677,018		Shin	10/14/1997
*	A14	5,759,645		Li	06/02/1998
*	A15	5,962,088		Tanaka et al.	10/05/1999
*	A16	6,004,635		Li	12/21/1999
*	A17	6,038,812		Belokin et al.	03/21/2000
*	A18	6,082,045		Weder et al.	07/04/2000
*	A19	6,093,458		Worchester	07/25/2000
*	A20	6,093,459		Pulio, Jr.	07/25/2000
*	A21	6,306,471 B1		Pitman et al.	10/23/2001
*	A22	Des. 214,171		Troutman	05/20/1969
*	A23	Des. 248,842		Ditto	08/08/1978
*	A24	Des. 287,345		McLaughlin	12/23/1986
*	A25	Des. 288,304		Grun	02/17/1987
*	A26	Des. 291,072		Hebert, Jr.	07/28/1987
*	A27	Des. 344,043		Brookshire, Sr.	02/08/1994
*	A28	Des. 361,291		Chavalas	08/15/1995
*	A29	Des. 390,157		Burnett	02/03/1998
*	A30	Des. 401,886		Burnett	12/01/1998
*	A31	Des. 441,688		Clarke	05/08/2001
*	A32	Des. 453,910		Jones, II	02/26/2002
*	A33	5,570,863	A	Cooper	11/5/1996
*	A34	649,874		Payne	05/1900
*	A35	928,213		Patterson	07/1909
*	A36	1,423,906		Brettschneider	07/1922
*	A37	1,631,631		Gerlinger	06/1927



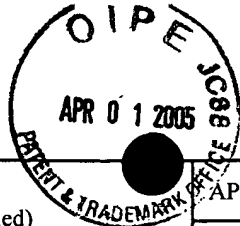
FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/524,100		A DOCKET NO.: R0579.70000US01	
				FILING DATE: February 9, 2005		CONFIRMATION NO.: Not assigned yet	
				APPLICANT: Steven W. Ramirez			
				GROUP ART UNIT: Not assigned yet		EXAMINER: Not assigned yet	
Sheet	2	of	3				

U.S. PATENT DOCUMENTS

*	A38	1,638,250		Finlayson	08/1927
*	A39	1,762,843		Straub	06/1930
*	A40	1,769,198		Albany	07/1930
*	A41	1,866,423		Roberts	07/1932
*	A42	1,892,393		Halm	12/1932
*	A43	2,003,101		Asman	05/1935
*	A44	Des. 97,712		Orben	12/1935
*	A45	2,029,643		Sinclair	02/1936
*	A46	2,047,321		Hart	07/1936
*	A47	2,151,192		Crosser	03/1939
*	A48	2,601,743		Karsted	07/1952
*	A49	2,624,968		Polizzi	01/1953
*	A50	Des. 188,384		Messer	07/1960
*	A51	3,087,280		Seliger	04/1963
*	A52	4,534,129		Stuckey	08/1985
*	A53	4,978,150		Newman et al.	07/1987
*	A54	5,127,184		Cosentino	07/1992
*	A55	5,508,070		DiLapo et al.	04/1996
*	A56	5,682,648		Miller	11/1997
*	A57	5,935,054		Loos	08/1999
*	A58	6,027,083		Chang	02/2000
*	A59	6,349,501		Freeman	02/2002
*	A60	4,171,754		Rosado, Ruperto L.	10/1979
*	A61	5,063,485		Harris, Edward H.	11/1991
*	A62	5,698,275		Pompeo, Thomas J.	12/1997
*	A63	6,401,726		Sonstegard, Lois J.	06/2002

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
*	A64	EP	0824885	A2	O'Connell	2/25/1998	
*	A65	EP	0824885	A3	O'Connell	12/29/1999	
*	A66	GB	990,705	A	Gray & Campling Ltd.	4/28/1965	
*	A67	EP	1077047	A2	Yugengaisha Pacs Optica	2/21/2001	
*	A68	EP	1077047	A3	Yugengaisha Pacs Optica	10/31/2001	
*	A69	FR	1271112	A	Charpentier	9/8/1961	
*	A70	DE	3803589		Starczewski	08/1989	
*	A71	JP	6-297900		Kazuhisa	10/1994	
*	A72	JP	10-5091		Kanekawa	01/1998	
*	A73	JP	10-64722		Kanekawa	03/1998	
*	A74	FR	2614194		Alcaraz	10/1988	
*	A75	JP	9-407A		Shinozaki	01/7/1997	Y



FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICATION NO.: 10/524,100	ATTY. DOCKET NO.: R0579.70000US01
		FILING DATE: February 9, 2005	CONFIRMATION NO.: Not assigned yet
		APPLICANT: Steven W. Ramirez	
		GROUP ART UNIT: Not assigned yet	EXAMINER: Not assigned yet
Sheet	3	of	3

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
*	A76	http://www.dickblick.com , Dick Blick Art Materials, Wire Art Sculpture Kit, printed May 7, 2002, 2 pages.	
*	A77	http://www.dickblick.com , Dick Blick Art Materials, Wire Art Mini-Kids Kit, printed May 7, 2002, 2 pages.	
*	A78	http://www.dickblick.com , Dick Blick Art Materials, Wire Art Project Kits, printed May 7, 2002, 2 pages.	
*	A79	http://www.hgtv.com , HGTV crafts & collectibles, Classic Wall Sconces, printed May 7, 2002, 2 pages.	
*	A80	http://www.sculptshop.com , Sculpture House Casting, 10" Animal Armature, printed May 7, 2002, 1 page..	
*	A81	http://www.sculptshop.com , Sculpture House Casting, 24" Heavy Duty Figure Armature, printed May 7, 2002, 1 page.	
*	A82	http://www.sculptshop.com , Sculpture House Casting, 20" Head Armature, printed May 7, 2002, 1 page.	
*	A83	http://www.dickblick.com , Dick Blick Art Materials, Wire Bending Jig, printed May 7, 2002, 2 pages.	
*	A84	http://www.dickblick.com Dick Blick Art Materials, Wire Art for Kids, printed May 7, 2002, 2 pages.	
*	A85	http://www.dickblick.com Dick Blick Art Materials, Sculpture House Wire Armatures with Bases, printed May 7, 2002, 2 pages.	
*	A86	http://www.sculptshop.com , Sculpture House Casting, Armatures, printed May 7, 2002, 2 pages.	
*	A87	http://www.sculptshop.com Sculpture House Casting, 18" Figure Armature, printed May 7, 2002, 1 page.	
*	A88	http://www.hgtv.com , HGTV Food & Lifestyle, Contemporary Wall Vase, printed May 7, 2002, 2 pages.	
*	A89	Amateur Competitions & Exhibitions Schedule & Information Book, New England Spring Flower Show, Shades of Spring, March 16-24, 2002.	
*	A90	Enclosed Photo from New England Spring Flower Show 2001.	
*	A91	Judges' Comment Sheet and Ribbon, New England Spring Flower Show, March 16, 2001.	
*	A92	Judges' Comment Sheet and Ribbon, New England Spring Flower Show, March 15, 2002.	

EXAMINER:

DATE CONSIDERED:

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/215,994, filed August 9, 2002, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]